

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): Terwilliger et al.

Appl. No.: 10/716,328

Confirm. No.: 5231

Filed: November 18, 2003

Title: IMPROVED DELIVERY FOR INTERSTITIAL  
RADIOTHERAPY USING HOLLOW SEEDS

PATENT APPLICATION

Art Unit: 3736

Examiner: Veniaminov, Nikita R.

Customer No. 23910

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Art Unit 3736, Alexandria, VA 22313-1450, on 12/28/04

[Signature] (Attorney Signature)  
Sheldon R. Meyer, Reg. No. 27,660

Signature Date: 12/28/04

REPLY TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Art Unit 3736  
Alexandria, VA 22313-1450

Sir:

Transmitted with this communication in connection with the above-identified application are the following:

- ☒ A Reply under 37 C.F.R. §1.111 to the Office Action dated 09/30/2004.
- ☐ A Reply under 37 C.F.R. §1.116 to the Office Action dated \_\_\_\_\_.
- ☐ A Petition for an Extension of Time under 37 C.F.R. §1.136.
- ☒ Applicant(s) qualify for small entity status under 37 C.F.R. §1.27.
- ☐ An Information Disclosure Statement pursuant to 37 C.F.R. §1.56.

The fee associated with this communication has been calculated as shown below:

- ☒ No fee is required with this communication.
- ☒ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has been established.
- \_\_\_\_\_ A fee for extension of time for response under 37 C.F.R. §1.136 filed within \_\_\_\_\_ month(s) after the original time for response of \$\_\_\_\_\_ is due.
- \_\_\_\_\_ A fee of \$180.00 is due for the submission of the accompanying Information Disclosure Statement.
- \_\_\_\_\_ A fee for addition of claims under 37 C.F.R. §1.16 is due as follows:

| FEES  | Claims Remaining After Amendment | Highest Number Previously Paid For | Present Extra | Rate Small Entity/Other Than Small Entity | Total      |
|---|----------------------------------|------------------------------------|---------------|---|------------|
| TOTAL CLAIMS<br>(37 CFR 1.16(c))                                    | <u>8</u> * -                     | <u>20</u> **                       | <u>0</u>      | X \$ 25.00<br>X \$ 50.00                  | 0.00<br>\$ |
| INDEPENDENT CLAIMS<br>(37 CFR 1.16(b))                              | <u>2</u> * -                     | <u>3</u> ***                       | <u>0</u>      | X \$ 100.00<br>X \$ 200.00                | 0.00<br>\$ |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS<br>(37 CFR 1.16(d)) |                                  |                                    |               | + \$180.00<br>+ \$360.00                  | 0.00<br>\$ |
|   |                                  |                                    |               | TOTAL                                     | \$0.00     |

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

\*\* If the "Highest Number of Previously Paid For" in this space is less than 20, enter "20".

\*\*\* If the "Highest Number Previously Paid For" in this space is less than 3, enter "3".

The total fee required with this communication is \$0.00 and is to be paid as follows:

\_\_\_\_\_ Please charge Deposit Account No. 06-1325 in the amount of \$\_\_\_\_\_. A duplicate copy of this authorization is enclosed.

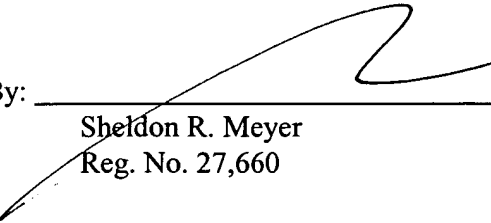
\_\_\_\_\_ A check in the amount of \$\_\_\_\_\_ is enclosed.

✓

The Commissioner is hereby authorized to charge any deficiencies or credit overpayment to Deposit Account No. 06-1325. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

Date: 12/28/04

By:   
Sheldon R. Meyer  
Reg. No. 27,660

Customer No. 23910  
FLIESLER MEYER LLP  
Four Embarcadero Center, Fourth Floor  
San Francisco, California 94111-4156  
Telephone: (415) 362-3800



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s):

Richard A. Terwilliger

Gary A. Lamoureux

SC/Serial No.:

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Sheldon R. Meyer, Reg. No. 27,660

Signature Date: 12/28/04

**RESPONSE TO OFFICE ACTION UNDER 37 C.F.R. § 1.111**

Commissioner for Patents

P.O. Box 1450

Art Unit 3736

Alexandria, VA 22313-1450

Sir:

This response is in reply to the Office Action mailed September 30, 2004. This response therefore is timely.

**Amendments:**

Please amend the above-identified application as follows:

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** begin on page 3 of this paper.

**Remarks** regarding the amendments begin on page 6 of this paper.